The Karnataka Aadhaar (Targeted Delivery of Financial And Other Subsidies, Benefits And Services) Act, 2018

Act 10 of 2018

Keyword(s):
Benefit, Service, Subsidy, Agency, Fund

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KARNATAKA ACT NO. 10 OF 2018
THE KARNATAKA AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES, BENEFITS AND SERVICES) ACT, 2018

Arrangement of Sections

1. Short title, extent and commencement
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3. Proof of Aadhaar number necessary for receipt of certain subsidies, benefits and services, etc
4. Notifying Schemes by State Government
5. Application of Chapter III and VI of Central Act
6. Act to be in addition and not in derogation of any other law
7. Protection of action taken in good faith
8. Power to make rules
9. Power to remove difficulties

STATEMENT OF OBJECTS AND REASONS

Act 10 of 2018.- It is considered necessary to enact the Karnataka Aadhaar (Targeted Delivery of Financial and Other Subsidies, benefits and Services) Bill, 2018, to provide for,-

(1) the correct identification of Targeted Beneficiaries for delivery of various subsidies, benefits, services, grants, wages and other social benefit schemes for the effective implementation of these programmes of the State Government or its agencies through Aadhaar Identification;

(2) further to ensure that the subsidies, benefits and services reach to the intended beneficiaries;

(3) linking the use of Aadhaar identification for delivery of various subsidies, benefits, services, grants, wages and other social benefit schemes which are funded from the consolidated fund of Karnataka or its agencies; and

(4) a good governance, efficient, transparent and targeted delivery of the subsidies, benefits and services, the expenditure for which is incurred from the consolidated Fund of the State or of any agency of the State Government to individuals residing in the State of Karnataka using Aadhaar as sole the identifier.

Hence, the Bill.

[entries 9 and 42 of List II and entries 20, 23 and 24 of List III of the Seventh Schedule to the Constitution of India.]
THE KARNATAKA AADHAAR (TARGETED DELIVERY OF FINANCIAL AND OTHER SUBSIDIES, BENEFITS AND SERVICES) ACT, 2018
(Received the assent of Governor on the 07th day of March, 2018)

An Act to provide for, as a good governance measure, efficient, transparent, and targeted delivery of financial and other subsidies, benefits and services, the expenditure for which is incurred from the Consolidated Fund of State to individuals residing in the State of Karnataka using Aadhaar as a sole identifier, and for matters connected therewith.

Whereas, it is expedient to make a law to provide for, as a good governance measure, efficient, transparent, and targeted delivery of financial and other subsidies, benefits and services, the expenditure for which is incurred from the Consolidated Fund of the State, to the individuals residing in the State of Karnataka using Aadhaar as a sole identifier, and to provide for matters connected therewith;

Be it enacted by the Karnataka State Legislature in the Sixty-ninth year of the Republic of India as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Karnataka Aadhaar (Targeted Delivery of Financial and Other Subsidies, benefits and Services) Act, 2018.

(2) It extends to the whole of the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.- (1) In this Act, unless the context otherwise requires,-

(a) "Agency of the State Government" means any authority or body established or constituted by any Central or State law in the State of Karnataka including the local bodies, and any other body owned and controlled by the State Government and includes the bodies whose composition and administration are predominantly controlled by the State Government;

(b) "Benefit" means any advantage, gift, reward, relief or payment, in cash or kind, provided to an individual or group of individuals and includes such other benefits as may be notified by the State Government, from time to time;

(c) "Central Act", means the Aadhaar (Targeted Delivery of Financial and Other Subsidies, benefits and Services) Act, 2016; (Central Act 18 of 2016)

(d) "Consolidated Fund of State" means a Consolidated Fund of State of Karnataka;

(e) "Government" or "State Government" means the Government of Karnataka;

(f) "Service" means any provision, facility, utility or any other assistance provided in any form to an individual or a group of individuals and includes such other services as may be notified by the State Government;

(g) "Subsidy" means any form of aid, support, grant, subvention or appropriation, in cash or kind provided to an individual or a group of
individuals and includes such other subsidies as may be notified by
the State Government, from time to time.

(2) Words and expressions used in this Act but not defined hereinabove shall
have the same meanings as respectively assigned to them under the Central Act.

3. **Proof of Aadhaar number necessary for receipt of certain subsidies,**
**benefits and services, etc.**- The State Government or, as the case may be, any
Agency of the State Government, may, for the purpose of establishing identity of an
individual as a condition for receipt of a subsidy, benefit or service for which the
expenditure is incurred entirely by way of withdrawal from, or the receipt therefrom
forms part of the Consolidated Fund of the State, or any fund set up by any Agency
of the State Government, require that such individual undergo authentication, or
furnish proof of possession of Aadhaar number or, in the case of an individual to
whom no Aadhaar number has been assigned, such individual makes an
application for enrolment:

Provided that, till such time an Aadhaar number is not assigned to an
individual, the individual shall be offered alternate and viable means of
identification for delivery of the subsidy, benefit or service.

4. **Notifying Schemes by State Government.**- The State Government shall,
within a period of three months from the date of commencement of this Act, and
thereafter, from time to time, notify the list of schemes, subsidies, benefit or
services for which such authentication or proof is required as per section 3.

5. **Application of Chapter III and VI of Central Act.**- The provisions of
Chapter III and Chapter VI of the Central Act shall mutatis mutandis apply to
authentication under this Act.

6. **Act to be in addition and not in derogation of any other law.**- The
provisions of this Act shall be in addition to, and not in derogation of, the
provisions of any other law for the time being in force.

7. **Protection of action taken in good faith.**- No suit, prosecution or other
legal proceeding shall lie against the State Government or any officer, or other
employees of the State Government for anything which is in good faith done or
intended to be done under this Act or rules made thereunder.

8. **Power to make rules.**- (1) The State Government may, by notification in
the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing
power, such rules may provide for all or any of the following matters, namely:-

(a) specifying the manner of use of Aadhaar number for the purposes of
providing or availing of various subsidies, benefits, services and other
purposes for which Aadhaar number may be used;

(b) any other matter which is required to be, or may be, specified, or in
respect of which provisions is to be made by rules.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is
made, before each House of the State Legislature, while it is in session for a total
period of thirty days which may be comprised in one session or in two or more
successive sessions, and if, before the expiry of the session in which it is so laid or
the session or sessions immediately following, both Houses agree in making any
modification in the rule or both Houses agree that the rule should not be made, the
rule shall thereafter have effect only in such modified form or be of no effect, as the
case may be; so, however, that any such modification or annulment shall be
without prejudice to the validity of anything previously done or omitted to be done
under that rule.

9. **Power to remove difficulties.**- (1) If any difficulty arises in giving effect to
the provisions of this Act, the State Government may, by an order, published in the
Official Gazette, make such provisions not inconsistent with the provisions of this Act which appear to it to be necessary or expedient for the purposes of removing the difficulty:

Provided that, no such order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

The above translation of ಕರ್ನಾಟಕ ವಿದ್ವನ್ನ ಪರಾಮರ್ಶಗಳಿಗೆ ಆರೋಗ್ಯದಲ್ಲಿ ಅಂಗುಲಗಿಡುವ ಜಗತ್ತಿಗೆ ಅರ್ಧಜೀವನದ ಸಮಯದಲ್ಲಿ ಬರುವ ಅನುಕ್ರಮಿಸುವ ಬಗೆಯಾದ ವ್ಯಕ್ತಿಗಳ. 2018 (2018ರ ಕರ್ನಾಟಕ ವಿದ್ವನ್ನ ಪರಾಮರ್ಶಗಳು 10) be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

VAJUBHAI VALA
GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

K.DWARAKANATH BABU
Secretary to Government
Department of Parliamentary Affairs